

REGULAR CITY COUNCIL MEETING
NOVEMBER 9, 1992

PRESENT

Don Dafoe	Mayor
Gayle Bunker	Council Member
Alan Burraston	Council Member
Robert Dekker	Council Member
Robert Droubay	Council Member
Rex Harris	Council Member

ABSENT

Dorothy Jeffery	City Recorder
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OTHERS PRESENT

Richard Waddingham	City Attorney
Neil Forster	Public Works Director
Virginia Taylor	Deputy City Recorder
Judy Baker	City Treasurer
Gregory Schafer	Finance Clerk
Stephen Gale	City Resident
Russell Gale	City Resident

Mayor Dafoe called the meeting to order at 7:00 p.m. Virginia Taylor, Deputy City Recorder, acted as secretary. Mayor Dafoe stated that notice of the meeting time, place and agenda was posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle/Progress, KNAK Radio Station, and to each member of the City Council by personal delivery two days prior to the meeting.

Council Member Gayle Bunker offered an invocation, after which Mayor Dafoe led the Council in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Public Hearing held October 26, 1992, were presented for consideration and approval. The Council reviewed the minutes briefly and proposed corrections, after which Council Member Robert Droubay MOVED that the minutes be approved as corrected. The motion was SECONDED by Council Member Alan Burraston. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of a Regular City Council Meeting held October 26, 1992, were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Robert Droubay MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member Alan Burraston. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member Gayle Bunker MOVED that the accounts payable be approved for payment as listed in the amount of \$152,053.36. The motion was SECONDED by Council Member Robert Dekker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

UNFINISHED BUSINESS

ATTORNEY RICHARD WADDINGHAM: PRIVATE HANGAR AT DELTA MUNICIPAL AIRPORT

Mayor Dafoe asked Attorney Waddingham to discuss private hangar lease procedures at the Delta Municipal Airport.

Attorney Richard Waddingham said that to his knowledge Delta City does not have a standard lease procedure for the Delta Municipal Airport. He said that he reviewed the lease agreement between Delta City and Kenneth Thatcher for hangar space at the airport. The Thatcher lease expires in 1994 with an option to renew for five years.

Discussion was held regarding a proposed ordinance stating hangar lease requirements at the Delta Municipal Airport. The following owner responsibilities and issues were discussed:

1. Provide proof of liability insurance annually.
2. Delta City listed as an Additional Insured.
3. Building specifications - metal building.
4. Sub-leases approved by City Council.
5. Water & Sewer approved by City Council.
6. Private business ownership only. No commercial.
7. Property becomes Delta City's if abandoned or owner defaults in rental payments.

Mayor Dafoe asked Attorney Waddingham to prepare a draft ordinance to be presented at the next Regular City Council Meeting.

Brief discussion was then held regarding a hangar to be leased by

the FAA. Public Works Director Neil Forster said that the price for a 45 x 35 building is \$13,300 and the concrete is \$5,000. The estimated total cost of the building is \$25,000.

NEW BUSINESS

MAYOR DON DAFOE: PAYMENT REQUEST-SUNRISE ENGINEERING, INC. - DELTA MAIN STREET PROJECT - COMPENSATION ENGINEERING FINAL DESIGN PHASE - COMPENSATION ENGINEERING PLANNING & ADMINISTRATIVE PHASE

Mayor Dafoe said that two requests for payment have been submitted by Sunrise Engineering, Inc. for work done on the Downtown Beautification Project. The first request is for Services provided August 1st through October 15, 1992 in the amount of \$8,663, and the second request is for services provided August 1st through September 30, 1992 in the amount of \$3,244.40.

Mayor Dafoe said that a request for funds has been submitted to CDBG in the amount of \$11,907.40 and requested Council's approval to pay the two invoices when payment is received from CDBG.

Following brief discussion, Council Member Robert Dekker MOVED to approve payment to Sunrise Engineering, Inc. in the amount of \$8,663 and \$3,244.40 when funds are received from CDBG. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ATTORNEY RICHARD WADDINGHAM: RESOLUTION AUTHORIZING CITY COUNCIL TO BORROW MONEY FROM WATER CAPITAL RESERVE ACCOUNT TO PAY FOR GENERAL FUND EXPENDITURES

Mayor Dafoe asked Attorney Richard Waddingham to present a resolution authorizing the City Council to borrow money from the Water Capital Reserve Account to pay for General Fund expenditures.

Attorney Waddingham presented the following proposed resolution:

RESOLUTION NO. 92-214

**A RESOLUTION OF THE DELTA CITY COUNCIL
BORROWING FUNDS FROM THE WATER CAPITAL RESERVE
FUND TO BE APPLIED TO THE GENERAL FUND FOR
PURPOSES OF MEETING EXPENDITURES OF SAID
GENERAL FUND.**

Mayor Dafoe explained that the purpose of the loan was to pay for the telephone system that was installed in the City Office. He said that the Millard County Sheriff's Office has agreed to pay \$3,000 for their portion of the telephone system on their side of the office. Therefore the total amount to be borrowed is

\$5,901.64.

Following discussion, Council Member Gayle Bunker MOVED to approve Resolution No. 92-214 as presented. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Gayle Bunker	Yes
Council Member Alan Burraston	Yes
Council Member Robert Dekker	Yes
Council Member Robert Droubay	Yes
Council Member Rex Harris	Yes

Mayor Dafoe then signed the Resolution and it was attested by Deputy City Recorder Virginia Taylor.

ATTORNEY RICHARD WADDINGHAM: AMENDED MUNICIPAL WATER RIGHTS ACQUISITION AGREEMENT

Mayor Dafoe asked Attorney Richard Waddingham to discuss an Amended Municipal Water Rights Acquisition Agreement.

Attorney Waddingham presented and reviewed in detail an Amended Municipal Water Rights Acquisition Agreement between Intermountain Power Agency (IPA) and the City of Delta. He said that this amended agreement replaces an agreement dated August 9, 1982, between IPA and Delta City which provided for IPA to make available additional water rights for Delta City to purchase to supply the increased culinary water demands resulting from new developments attributable to the Intermountain Power Project within Delta's annexed areas. Delta City agreed to collect and pay over to IPA the Water Development Fees charged by Delta City for new connections onto Delta's water system.

Attorney Waddingham explained the agreement further and then recommended that it be tabled to allow the City Council more time for further review.

Council Member Robert Dekker MOVED that the Amended Municipal Water Rights Acquisition Agreement be tabled until the next Regular City Council Meeting to allow time for further review. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ATTORNEY RICHARD WADDINGHAM: AMENDMENT TO DELTA CITY ZONING ORDINANCE REGARDING MODULAR HOMES

Mayor Dafoe asked Attorney Richard Waddingham to present an amendment to the Delta City Zoning Ordinance regarding modular homes.

Attorney Waddingham explained that Millard County Building Inspector Jerry Reagan has been enforcing Delta City's current Zoning Ordinance to require persons building Manufactured Homes to brick such homes approximately half-way to the window sill. Delta City ordinances do not require bricking around Manufactured Homes. Attorney Waddingham asked the City Council if they would like to amend the ordinance to require bricking. It was the consensus of the City Council to leave the ordinance as it is.

ATTORNEY RICHARD WADDINGHAM: REPEAL OF ORDINANCE NO. 92-148
REGARDING ZONE CHANGE FROM RURAL RESIDENTIAL (RR) TO PUBLIC QUASI-
PUBLIC (PQP).

Mayor Dafoe asked Attorney Richard Waddingham to discuss a proposal to repeal Ordinance No. 92-148 regarding a zone change from Rural Residential to Public Quasi-Public requested by Millard County.

Attorney Waddingham said that he asked Wes Peterson to confirm the legal description that was presented to Delta City by Millard County, on property located south of the existing Millard County Fairgrounds facility. Mr. Peterson said that the legal description presented was not accurate.

Attorney Waddingham said that Ordinance No. 92-148 was adopted subject to an accurate legal description. However, at the recommendation of Mayor Dafoe the ordinance was not published in the newspaper. Mr. Waddingham asked the City Council whether or not they wanted to repeal the ordinance and adopt a new ordinance when an accurate legal description has been submitted to the City Council.

It was the consensus of the City Council to postpone discussion of this until the next Regular City Council Meeting.

OTHER BUSINESS

Stephen Gale was in attendance and said that he just built a new home on the corner of 300 North 300 East and would like to put in a yard in the Spring of 1993. He asked what the City's procedure was for the installation of curb, gutter and sidewalk. Mayor Dafoe said that those types of improvements are the responsibility of the property owner and that Mr. Gale should contact his neighbors to see if they would be willing to form a Special Improvement District for the installation of those improvements at this time.

Mr. Gale said he would contact his neighbors and report back to Public Works Director Neil Forster.

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Council Member Robert Droubay said that the light near the Library is still out and needs to be fixed.

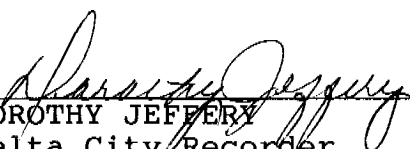
RCCM 11-09-92

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Mayor Dafoe asked if there were any comments, questions or items to be discussed. There being none, Council Member Robert Dekker MOVED to adjourn. The motion was SECONDED by Council Member Harris. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously. Mayor Dafoe declared the meeting adjourned at 8:40 p.m.



DON DAFOE, Mayor



DOROTHY JEFFERY
Delta City Recorder

MINUTES APPROVED: RCCM 11-23-92